IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6523 OF 2005

Shri Ramchandra Narayan Rankhambe & Ors. ..Petitioners

Versus

The Joint Charity Commissioner,
Kolhapur Region, Kolhapur & Ors. ..Respondents.

Mr. J.P.Kharge for the Petitioners.

CORAM : S. A. BOBDE, J.
DATED : 30TH SEPTEMBER, 2005.

P.C.:

1. The petitioners have challenged the order dated 22.08.2005 passed by the learned Joint Charity Commissioner, Kolhapur Region, Kolhapur, dismissing the petitioners' application -Exh.19 and allowing the application -Exh.36.

2. Admittedly, earlier the directions had been given by the Assistant Charity Commissioner to hold elections of the Managing Committee as per the provisions of the constitution of the Trust within a period of six months from 11.07.2000. These directions have apparently not been complied with. In the meantime, two proceedings have been initiated under section 41-D and 41-E of the Bombay Public Trust

Act.

3. In these proceedings one Kashinath Govind Shinde applied for appointing him as an administrator of the Trust to look after its management. An application under section 36 was made by the Inspector for appointment of an administrator on the office of the Charity Commissioner. The learned Joint Charity Commissioner took note of the reply of the respondents that the applicant is said to have mis-appropriated funds and that there are allegations and counter allegations against each other. The learned Joint Charity Commissioner has therefore, considered it appropriate to reject the application under Exh. 19 for appointment of Kashinath G. Shinde as administrator. However in the circumstances mentioned above, the learned Joint Charity Commissioner has directed that a Superintendent from the office of the Assistant Charity Commissioner, Sangli is appointed as an Administrator to look after the management of the Trust.

4. I see no infirmity, jurisdictional or otherwise in the order of the Joint Charity Commissioner. The petition is, therefore, dismissed.

DT.30.09.05 (S.A.BOBDE,J)

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